

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

ORACLE AMERICA, INC.,

No. C 10-03561 WHA

Plaintiff,

V.

GOOGLE INC.,

## **ORDER DENYING PRÉCIS REQUESTS**

Defendant.

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On July 28, 2011, Google Inc. filed a précis requesting permission to file motions to seal and redact portions of the public record containing references to a Google document cited by Oracle America, Inc. at the July 21 hearing on Google’s *Daubert* motion (Dkt. No. 247). On August 1, 2011, the request was denied (Dkt. No. 255). Google now seeks leave to submit an *in camera* factual proffer supporting its denied request (Dkt. No. 265). This new request is also **DENIED**. Construed as support for Google’s July 28 request, it is untimely. Construed as a request for leave to file a motion for reconsideration of the August 1 order, it does not establish any of the grounds for reconsideration set forth in Civil Local Rule 7-9(b).

In opposing Google’s latest request, Oracle America, Inc. “respectfully requests that the Court issue an order compelling Google to produce the Lindholm document forthwith” (Dkt. No. 269 at 3). This request is also **DENIED**. Oracle does not explain why it “has twice asked Google to re-produce the Lindholm document” despite the fact that the document already was produced (*ibid.*). Moreover, all discovery disputes in this action have been referred to Magistrate Judge Ryu. A letter to the undersigned judge responding to a précis request is not the proper place to raise a discovery dispute.

## **IT IS SO ORDERED.**

Dated: August 4, 2011.

  
WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE